

## Message Text

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ACTION EUR-12

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 5483

INFO AMEMBASSY MADRID

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY ROME

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TAGS: PFOR, SP, GI, UK

SUBJECT: GIBRALTAR ISSUE RISES AGAIN

REF: LONDON A-212 (FEB. 8, 1923); LONDON 1970 (FEB. 13, 1974); LONDON 6943 (JUNE 4, 1974)

SUMMARY: SPANISH PROPOSALS ON THE FUTURE OF GIBRALTAR, REPORTEDLY PROVIDED TO THE CHIEF MINISTER OF GIBRALTAR SIR JOSHUA HASSAN IN FEBRUARY 1973, HAVE NOW BEEN MADE PUBLIC. LONDON TIMES CARRIES FRONT PAGE ARTICLE NOVEMBER 7 ON THE PROPOSALS, AND A LETTER TO EDITOR FROM SIR JOSHUA HASSAN (CHIEF MINISTER) WHICH GIVES SOME ADDITIONAL BACKGROUND. END SUMMARY

1. THE CHIEF MINISTER OF GIBRALTAR TOLD A TIMES REPORTER NOVEMBER 6 THAT THE SPANISH PROPOSALS WERE "UTTERLY UN-ACCEPTABLE..BECAUSE THEY INVOLVED TRANSFER OF SOVEREIGNTY  
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OVER GIBRALTAR FROM BRITAIN TO SPAIN AND WERE IN CONFLICT

WITH THE 1967 REFERENDUM BY WHICH GIBALTARIANS VOTED OVERWHELMINGLY (12,138 TO 44) IN FAVOR OF CONTINUED BRITISH SOVEREIGNTY.

2. THE JOURNALIST REPORTED THAT SPAIN HAD PROPOSED, AFTER TRANSFER OF SOVEREIGNTY, CREATION OF "SPECIAL" STATUS FOR GIBRALTAR WITH LEGISLATIVE, JUDICIAL, ADMINISTRATIVE AND FINANCIAL AUTONOMY. GIBALTARIANS WOULD BECOME SPANISH NATIONALS WITHOUT, HOWEVER, HAVING TO RENOUNCE BRITISH NATIONALITY. SYSTEM OF LAW IN GIBRALTAR WOULD BE BASED ON LAW OF SPAIN, AND GIBRALTAR CONSTITUTION, PENAL AND POLICE LAWS WOULD BE ADJUSTED TO CONFORM WITH SPANISH SOVEREIGNTY. SENIOR AUTHORITY IN GIBRALTAR WOULD BE CIVIL GOVERNOR APPOINTED BY SPANISH HEAD OF STATE, AND MOST SENIOR MEMBERS OF EXECUTIVE BRANCH WOULD BE SPANIARDS OR GIBALTARIANS OF SPANISH NATIONALITY. OFFICIAL LANGUAGE WOULD BE SPANISH BUT WIDE USE OF ENGLISH WOULD BE SAFEGUARDED.

3. SPANISH PROPOSALS HAVE BECOME PUBLIC KNOWLEDGE AS A RESULT OF AN EXCHANGE OF LETTERS IN THE COLUMNS OF THE TIMES. REMARKS EARLIER MADE BY SIR JOSHUA (TIMES OF OCTOBER 14) PRODUCED A LETTER FROM SPANISH AMBASSADOR TO THE UK DE FRAGA OCTOBER 23, TO WHICH THE TIMES REPORT AND HASSAN'S LETTER OF NOVEMBER 7 ARE A FURTHER RIPOSTE.

4. IN AN EFFORT TO EXPLAIN WHY THESE PROPOSALS WERE NOW BEING REVEALED PUBLICLY AFTER NEARLY TWO YEARS, SIR JOSHUA NOTED THE PROPOSALS WERE GIVEN TO HIM IN FEBRUARY 1973 BY A REPRESENTATIVE OF THE SPANISH FOREIGN OFFICE WHEN HE WAS ACQUAINTING HIMSELF WITH THE EEC AFTER BRITAIN'S ENTRY. HASSAN WRITES THAT HE BELIEVED THE SPANISH PROPOSALS HAD BEEN GIVEN TO HIM IN CONFIDENCE WHICH HE INTENDED TO RESPECT. BUT AFTER FRAGA COMMENTED ON THEM IN A LETTER TO THE TIMES ON OCTOBER 23, HASSAN SAID HE FELT FREE TO DISCLOSE THEM. SIR JOSHUA SAID HE HAD PROVIDED THE SPANISH OFFICIAL AT THAT TIME WITH A COPY OF THE STATEMENT PUBLISHED IN 1966 BY THE GIBRALTAR GOVERNMENT ON THE RIGHTS WHICH WOULD HAVE TO BE RESPECTED IN ANY CONSIDERATION OF CHANGING GIBRALTAR'S STATUS. LIMITED OFFICIAL USE

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5. COMMENT: FOREIGN OFFICE TELLS US THAT THERE HAS BEEN A GOOD DEAL OF PRESS INTEREST IN THE REVELATION OF THE SPANISH PROPOSALS. FCO IS TAKING LINE THAT IT IS UP TO HASSAN TO RESPOND TO PRESS INQUIRIES. FCO POINTS OUT TO US THAT THESE PROPOSALS HAVE LONG LINEAGE DATING BACK TO 1966. AS WE HAVE INDICATED IN PREVIOUS REPORTS, SUCCESSIVE BRITISH GOVERNMENTS HAVE NOT REGARDED THEM AS A

POLITICALLY ACCEPTABLE BASIS FOR A GIBRALTAR SOLUTION.

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